

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEWAYNE THOMPSON,

Petitioner,

v.

TIMOTHY LOCKWOOD,

Respondent.

No. C 13-04425 EJD (PR)

ORDER GRANTING MOTION TO
WITHDRAW MOTION TO DISMISS;
GRANTING EXTENSION OF TIME
TO FILE MOTION FOR LEAVE TO
PROCEED *IN FORMA PAUPERIS*

(Docket No. 7)

On September 24, 2013, Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, and an In Forma Pauperis ("IFP") Application. On the same day, the Clerk sent Petitioner a notice that his IFP application was deficient because it lacked the following documents: (1) a Certificate of Funds in Prisoner's Account completed and signed by an authorized prison official; and (2) a copy of Petitioner's trust account statement showing transactions for the last six months. (Docket No. 3.) Petitioner was directed to file a response within twenty-eight days of the notice to avoid dismissal of the action. (Id.) Petitioner filed two motions to dismiss the action. (See Docket Nos. 4 & 5.) Most recently, Petitioner filed a notice of motion to strike his motions to dismiss. (Docket No. 7.)

1 Petitioner's motion to withdraw his previous motions is GRANTED. In the
2 interest of justice, Petitioner is granted an extension of time to file a complete IFP
3 application. Petitioner must file a complete IFP Application **no later than twenty-**
4 **eight (28) days** from the date this order is filed. In the alternative, Petitioner may pay
5 the \$5.00 filing fee in the same time provided.

6 **Failure to file a timely response in accordance with this order by filing a**
7 **complete IFP application or paying the filing fee will result in the dismissal of this**
8 **action without further notice to Petitioner.**

9 This order terminates Docket No. 7.

10
11 DATED: _____

10/30/13



EDWARD J. DAVILA
United States District Judge